

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:20-CV-00210

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **VERIFIED COMPLAINT FOR
 FORFEITURE IN REM**
)
APPROXIMATELY \$11,962.62 IN U.S.)
CURRENCY seized from Jonathan)
Andrew Mejia on or about February 18,)
2020, in Buncombe County, North)
Carolina,)
)
Defendant.)

NOW COMES the United States of America, Plaintiff herein, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, in a civil cause of forfeiture, and respectfully states the following:

NATURE OF ACTION

1. This is a civil action *in rem* against approximately \$11,962.62 in United States Currency (“the Defendant Currency”) seized from Jonathan Andrew Mejia on or about February 18, 2020, in Buncombe County, North Carolina.

JURISDICTION AND VENUE

2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355.

3. This Court has *in rem* jurisdiction over the Defendant Currency, and venue is proper pursuant to 28 U.S.C. § 1335(b)(1) because acts or omissions giving rise to the forfeiture occurred in the Western District of North Carolina.

4. Venue is also proper pursuant to 28 U.S.C. § 1335 because the Defendant Currency is located in the Western District of North Carolina.

5. The Defendant Currency was seized within and is now within the Western District of North Carolina.

BASIS FOR FORFEITURE

6. This civil action is brought against the Defendant Currency because it constitutes money furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. §§ 841 and/or 846, proceeds traceable to such an exchange, and/or money used or intended to be used to facilitate a violation of 21 U.S.C. §§ 841 and/or 846, and is therefore subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6).

FACTS

7. On January 6, 2020, Jonathan Andrew Mejia was charged with state felony drug offenses, including possession with intent to distribute marijuana.

8. On February 18, 2020, per the terms of Mr. Mejia's probation, Asheville Police Department Detective Brad Beddow assisted North Carolina

Department of Public Safety Probation and Parole Officers in executing a court-approved warrantless search of Mr. Mejia's residence at 40 Coley's Circle, Apartment 302, Asheville, NC.

9. During the search of Mr. Mejia's residence on February 18, 2020, officers located, among other things: (1) approximately 369.5 grams of marijuana; (2) 23 dosage units of THC vaping cartridges; (3) approximately 215 grams of marijuana resin wax; (4) a loaded S&W automatic 9mm pistol, which was found in a fanny pack under his minor daughter's bed; (5) drug paraphernalia, including wax paper, plastic baggies, and digital scales; and (6) the Defendant Currency.

10. Below is a photograph of marijuana that was recovered from Mr. Mejia's residence.



11. The Defendant Currency consisted of mostly smaller bills, such as \$20s, \$10s, \$5s, and \$1s. Some of Defendant Currency was separated by rubber bands.

12. The denomination of the Defendant Currency and the manner in which it was packaged was consistent with drug trafficking.

13. Following these events, on March 1, 2019, Mr. Mejia was charged with, among other things, felony possession with intent to distribute marijuana, possession of drug paraphernalia, and failure to store a firearm to protect a minor.

14. Prior to serving Mr. Mejia with his warrants, Detective Beddow spoke with Mr. Mejia at the Buncombe County Detention Facility and advised him of his Miranda rights. Mr. Mejia voluntarily agreed to speak with Detective Beddow.

15. Among other things, Mr. Mejia admitted that he was currently employed, and that the last job he held was at Arby's approximately 3 months ago.

16. Mr. Mejia also stated to Detective Beddow that the majority of the Defendant Currency was his girlfriend's, Ceecret Allen. Mr. Mejia further indicated that he did know the denomination of the Defendant Currency.

17. Detective Beddow subsequently monitored jail calls made by Mr. Mejia to several individuals, including his girlfriend Ms. Allen, his parents, and his brother Giovanni Mejia.

18. Mr. Mejia made statements during these jail calls about the Defendant Currency that were inconsistent with what he represented to Detective Beddow.

19. For example, although Mr. Mejia previously told Detective Beddow that he did not know the denomination of the Defendant Currency, during at least one jail call, Mr. Mejia described in detail where the Defendant Currency was found, its denomination, and how it was packaged.

20. Additionally, although Mr. Mejia previously informed Detective Beddow that the majority of the Defendant Currency was Ms. Allen's, during jail calls, Mr. Mejia provided instructions to Ms. Allen and other individuals so that he could attempt to recover the Defendant Currency. During at least one jail call, Mr. Mejia referred to the Defendant Currency as "my money."

21. During other jail calls, Mr. Mejia's brother asked Mr. Mejia if he wanted him to "make plays" on his behalf, and Mr. Mejia agreed. Mr. Mejia provided his Snapchat username and password to his brother. Mr. Mejia's brother told him that he would be on his "Snap" (i.e., Snapchat) "making plays" for him. In the drug trade arena, "making plays" means making drug sales.

POSITIVE K-9 ALERT

22. On February 21, 2020, a trained and certified narcotics K-9 positively alerted to the Defendant Currency.

ADMINISTRATIVE FORFEITURE

23. DEA initiated an administrative forfeiture action against the Defendant Currency.

24. On May 5, 2020, Luz Mejia, Mr. Mejia's mother, filed a claim as to the Defendant Currency.

25. The United States now files this Complaint in response to that claim.

26. The following persons may have or claim an interest in the Defendant Currency:

Jonathan Andrew Mejia
40 Coley's Circle
Apartment 302
Asheville, NC 28806

Ceecret Nahja Allen
40 Coley's Circle
Apartment 302
Asheville, NC 28806

Luz Mejia
56 Druid Drive
Asheville, NC 28806

CONCLUSION

27. By virtue of the foregoing, all right, title, and interest in the Defendant Currency vested in the United States at the time of the commission of the unlawful act giving rise to forfeiture, 21 U.S.C. § 881(h), and has become and is forfeitable to the United States of America.

PRAYER FOR RELIEF

WHEREFORE, the United States of America respectfully prays the Court that:

- (1) a warrant for the arrest of the Defendant Currency be issued;
- (2) due notice be given to all parties to appear and show cause why the forfeiture should not be decreed;
- (3) judgment be entered declaring the Defendant Currency to be condemned and forfeited to the United States of America for disposition according to law; and
- (4) the United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action, including but not limited to the expenses of maintenance and protection of the Defendant Currency as required by 28 U.S.C. § 1921.

Respectfully submitted this 3rd day of August, 2020.

R. ANDREW MURRAY
UNITED STATES ATTORNEY

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VERIFICATION

I am a Task Force Officer with the Drug Enforcement Administration and one of the agents assigned to this case. Pursuant to 28 U.S.C. § 1746, I hereby verify and declare under penalty of perjury that the foregoing is true and correct to the best of knowledge, information, and belief.

Date: 08/03/2020

Sonia Escobedo

Sonia Escobedo
Task Force Officer